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Before the  
Federal Communications Commission  
Washington, D.C. 20554

MM Docket No. 92-213

In the Matter of

Amendment of Section 73.202(b),  
Table of Allotments,  
FM Broadcast Stations.  
(Canton and Louisiana,  
Missouri)

RM-8060

Community	Channel No.
Canton, Missouri	265C3
Louisiana, Missouri	271C3

**REPORT AND ORDER**  
**(Proceeding Terminated)**

Adopted: December 11, 1992; Released: January 12, 1993

By the Chief, Allocations Branch:

1. In response to a petition filed by Foxfire Communications, Inc. ("petitioner"), the Commission has before it for consideration the *Notice of Proposed Rule Making*, 7 FCC Rcd 6232 (1992), seeking the substitution of FM Channel 271C3 for Channel 271A at Louisiana, Missouri. Petitioner also requests modification of its license for Station KJFM(FM) to specify operation on Channel 271C3. Petitioner filed comments supporting the allotment of Channel 271C3 at Louisiana. Bick Broadcasting Company ("Bick") filed comments.

2. We believe the public interest would be served by the substitution of Channel 271C3 for Channel 271A at Louisiana, since it would provide the community with additional reception service. The substitution can be made in compliance with the minimum distance separation requirements of Section 73.207 of the Commission's Rules at petitioner's specified site provided Channel 265C3 is substituted for Channel 272C3 at Canton, Missouri.<sup>1</sup> Bick holds the construction permit for Channel 272C3, Station KBXB, Canton. Since Bick consented to the substitution of channels at Canton to accommodate the upgrade at Louisiana, there was no need to issue an Order to Show Cause for the substitution at Canton.<sup>2</sup> Channel 265C3 can be allotted to Canton, Missouri, in compliance with Section 73.207(b) of the Commission's Rules at the existing site for Station KBXB.<sup>3</sup> Channel 265C3, Canton, is short spaced to Station KPCR-FM, Channel 265A, Bowling Green, Missouri, and Station WAHI, Channel 266A, Augusta, Illinois. However, Station KPCR-FM, Bowling Green, has been ordered to Channel 231C3 and Station WAHI, Augusta, has been modified to Channel 253A.<sup>4</sup> Therefore, grant of a license

for Station KBXB, Canton, may be withheld until Station KPCR-FM is licensed on Channel 231C3 and Station WAHI is licensed on Channel 253A.

3. Accordingly, pursuant to the authority contained in Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b) and 0.283 of the Commission's Rules, IT IS ORDERED, That effective February 25, 1993, the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, IS AMENDED for the communities listed below, to read as follows:

4. IT IS FURTHER ORDERED, pursuant to the authority contained in Section 316 of the Communications Act of 1934, as amended, that the license of Station KJFM(FM), Channel 271A, Louisiana, Missouri, IS MODIFIED to specify operation on Channel 271C3, subject to the following conditions:

(a) Within 90 days of the effective date of this Order, the licensee shall file with the Commission a minor change application for construction permit (Form 301), specifying the new facility.

(b) Upon grant of the construction permit, program tests may be conducted in accordance with Section 73.1620.

(c) Nothing contained herein shall be construed to authorize a change in transmitter location or to avoid the necessity of filing an environmental assessment pursuant to Section 1.1307 of the Commission's Rules.

5. IT IS FURTHER ORDERED, That pursuant to the authority contained in Section 316(a) of the Communications Act of 1934, as amended, that the construction permit for Station KBXB, Canton, Missouri, IS MODIFIED to specify operation on Channel 265C3 in lieu of Channel 272C3, subject to the following conditions:

(a) Nothing contained herein shall be construed as authorizing any change in BPH-9009261A except for the channel as specified above. Any changes, except those specified require prior authorization pursuant to an application for construction permit (FCC Form 301).

(b) Program tests may be conducted in accordance with the provisions of Section 73.1620 of the Rules, PROVIDED the transmission facilities comply in all respects with BPH-9009261A, except for the channel as specified above, and a license application (Form 302) is filed within 10 days of commencement of program tests.

<sup>1</sup> The coordinates for Channel 271C3 at Louisiana are 39-21-57 and 91-16-30.

<sup>2</sup> Petitioner provided a letter from James E. Janes, President, Bick Broadcasting Company, consenting to the substitution of Channel 265C3 for Channel 272C3.

<sup>3</sup> The coordinates for Channel 265C3 at Canton are 40-07-33

and 91-31-42.

<sup>4</sup> Station KPCR-FM, Bowling Green, was modified to specify operation on Channel 231C3 in MM Docket No. 90-131, 5 FCC Rcd 6543 (1990), and Station WAHI, Augusta, Illinois, was modified to specify operation on Channel 253A in MM Docket No. 90-510, 7 FCC Rcd 2099 (1992).

6. IT IS FURTHER ORDERED, That the Secretary of the Commission Shall Send by Certified Mail, Return Receipt Requested, a copy of this *Order* to the following:

Pike County	Good News
Broadcasting	Broadcasters, Inc.
Station KPCR-FM	Station KWHI
P.O. Box 1	Rt. 1, Box 72
Bowling Green, Missouri 63334	Plymouth, Illinois 62367

Bick Broadcasting Company  
Station KBXB  
119 North Third Street  
P.O. Box 711  
Hannibal, Missouri 63401

7. Pursuant to Commission Rule Section 1.1104(1)(k) and (2)(k), any party seeking a change of community of license of an FM or television allotment or an upgrade of an existing FM allotment, if the request is granted, must submit a rule making fee when filing its application to implement the change in community of license and/or upgrade. As a result of this proceeding, Foxfire Communications, Inc., licensee of Station KJFM(FM), is required to submit a rule making fee in addition to the fee required for the applications to effect the upgrade.

8. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED.

9. For further information concerning this proceeding, contact Kathleen Scheuerle, Mass Media Bureau, (202) 634-6530.

FEDERAL COMMUNICATIONS COMMISSION

Michael C. Ruger  
Chief, Allocations Branch  
Policy and Rules Division  
Mass Media Bureau